

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jun 04, 2020

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JEREMY T.,¹

Plaintiff,

v.

ANDREW M. SAUL, Commissioner of
Social Security,

Defendant.

No. 4:19-CV-05272-EFS

**ORDER GRANTING THE PARTIES'
STIPULATED MOTION FOR
REMAND PURSUANT TO
SENTENCE FOUR OF 42 U.S.C. §
405(g)**

On June 1, 2020, the parties filed a Stipulated Motion for Remand. ECF No. 19. The parties agree that the matter should be reversed and remanded to the Commissioner of Social Security pursuant to sentence four of 42 U.S.C. § 405(g) for further administrative proceedings before an administrative law judge (ALJ) for a de novo hearing and a new decision as to Plaintiff Jeremy T.'s application for supplemental security income payments under Title XVI of the Social Security Act. As part of this de novo hearing on remand, the ALJ is to obtain evidence from

¹ To protect the privacy of the social-security Plaintiff, the Court refers to him by first name and last initial or by "Plaintiff." See LCivR 5.2(c).

1 a medical expert regarding Plaintiff's established onset date; reevaluate Plaintiff's
2 mental impairments under the relevant listings at step three; reevaluate
3 Plaintiff's residual functional capacity assessment; and if necessary,
4 seek supplemental vocational expert evidence to determine whether Plaintiff is
5 capable of performing past relevant work and/or whether there are significant
6 number of jobs in the national economy that Plaintiff can perform. The parties
7 also agree that Plaintiff is entitled to reasonable attorney fees and costs under the
8 Equal Access to Justice Act, 28 U.S.C. § 2412(d), upon proper request to the Court.
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10 Consistent with the parties' agreement, **IT IS HEREBY ORDERED:**

- 11 1. The parties' Stipulated Motion for Remand, **ECF No. 19**, is
12 **GRANTED.**
- 13 2. Judgment shall be entered for **Plaintiff**.
- 14 3. This matter is **REVERSED** and **REMANDED** to the Commissioner
15 of Social Security for further administrative proceedings pursuant to
16 sentence four of 42 U.S.C. § 405(g). On remand, the ALJ is to conduct
17 a de novo hearing, including obtaining evidence from a medical
18 expert regarding Plaintiff's established onset date; reevaluating
19 Plaintiff's mental impairments under the relevant listings at step
20 three; reevaluating Plaintiff's residual functional capacity
21 assessment; if necessary, seek supplemental vocational expert
22 evidence to determine whether Plaintiff is capable of performing past
23 relevant work and/or whether there are significant number of jobs in
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1 the national economy that Plaintiff can perform; and issue a new
2 decision for the period at issue prior to Plaintiff's established onset
3 date of October 26, 2017.

4 4. All pending motions are **DENIED AS MOOT**.

5 5. All hearings and other deadlines are **STRICKEN**.

6 6. If filed, the Court will consider Plaintiff's motion for fees and
7 expenses under the Equal Access to Justice Act.

8 7. The Clerk's Office is directed to **CLOSE** this file.

9 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order
10 and provide copies to all counsel.
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12 **DATED** this 4th day of June 2020.
13

14 s/Edward F. Shea
15 EDWARD F. SHEA
16 Senior United States District Judge
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